IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.436 OF 2006

Namdeo Laxman Bhakre ..Appellant

Versus

The State of Maharashtra ..Respondent

Smt.P.H.Kantharia APP for the Respondent/State.

Coram : J.N.Patel &
R.S.Mohite,JJ

Date : 24.01.2007.

PC

1. It appears that on 12.4.2006 when the application was placed before the learned single Judge, it was not brought to the notice of the learned single Judge that the appeal preferred by the applicant has been already disposed off by this Court by a judgment and order dated 9.9.2005 (Criminal Appeal No.547/99 Namdeo Laxman Bhakare V/s. The State of Maharashtra) and therefore, the application came to be wrongly disposed off by directing the registry to treat it as an appeal and came to be admitted and record & proceedings were called with a direction to appoint an Advocate for the applicant.

2. In view of the fact that this Court had already decided the appeal on merits, Second appeal in the

matter will not be maintainable.

3. In so far as application made by the convict is concerned, he has merely referred to that his case may be dealt sympathetically and justice be done to him. The said application is directed to be filed and the convict/prisoner be informed accordingly.

(J.N.Patel,J)

(R.S.Mohite,J)